

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SANUSI BAH,	:	No. 4:09-CV-1220
Petitioner	:	
	:	Judge Jones
v.	:	
	:	Magistrate Judge Smyser
THOMAS DECKER,	:	
Respondent	:	

**MEMORANDUM**

August 14, 2009

This matter is before the Court on the July 22, 2009 Report and Recommendation (“R&R”) of Magistrate Judge Smyser (Doc. 4) which recommends that Petitioner Sanusi Bah’s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 be dismissed as moot. No objections to the R&R have been filed.<sup>1</sup>

When, as here, no objections are made to a magistrate judge’s report and recommendation, the district court is not statutorily required to review the report before accepting it. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). According to the Third Circuit, however, “the better practice is to afford some level of review to dispositive legal issues raised by the report.” *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987). “[T]he court need only satisfy itself that there is no clear error

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<sup>1</sup> Objections were due on or before August 10, 2009. To this date, none have been filed.

on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b), advisory committee notes; *see also Henderson*, 812 F.2d at 878-79 (stating “the failure of a party to object to a magistrate's legal conclusions may result in the loss of the right to *de novo* review in the district court”).

As noted above, no objections to the R&R have been filed. Because the Court agrees with the sound reasoning of the Magistrate Judge, we will adopt the R&R in its entirety. With a mind towards conserving judicial resources, the Court will not rehash the reasoning of the Magistrate Judge. Rather, we attach a copy of the R&R, as it accurately reflects our consideration and resolution of the matter. An appropriate order will be entered.